9 Ronald Michael Capito,

Petitioner,

Respondent.

v.

12 A. Dulgov,

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

No. CV-22-00374-TUC-RCC

ORDER

On October 12, 2023, Magistrate Judge Eric J. Markovich issued a Report and Recommendation ("R&R") in which he recommended the Court deny Petitioner Ronald Michael Capito's Petition Pursuant to 28 U.S.C. § 2241 for a Writ of Habeas Corpus by a Person in Federal Custody. (Doc. 15.) The R&R notified the parties that they had fourteen (14) days from the date of the R&R to file any objections. No objections have been filed.

If neither party objects to a magistrate judge's report and recommendation, the District Court is not required to review the magistrate judge's decision under any specified standard of review. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). However, the statute for review of a magistrate judge's recommendation "does not preclude further review by the district judge, *sua sponte* or at the request of a party, under a *de novo* or any other standard." *Id.* at 154.

The Court has reviewed and considered the Petition (Doc. 1), the Government's Response (Doc. 10), Petitioner's Reply (Doc. 11), and Judge Markovich's R&R (Doc.

15). The Court finds that the R&R is well-reasoned and agrees with Judge Markovich's conclusions. Accordingly, IT IS ORDERED that the R&R is ADOPTED (Doc. 15) and Petitioner Ronald Michael Capito's Petition Pursuant to 28 U.S.C. § 2241 for a Writ of Habeas Corpus by a Person in Federal Custody is **DISMISSED WITH PREJUDICE** (Doc. 1). The Clerk of Court shall docket accordingly and close the case file in this matter. Dated this 30th day of October, 2023. Honorable Raner C. Collins Senior United States District Judge